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10/820,093	04/07/2004	Wolfgang Hill	588.1023	7149
23280 7590 05/16/2007 DAVIDSON, DAVIDSON & KAPPEL, LLC 485 SEVENTH AVENUE, 14TH FLOOR NEW YORK, NY 10018			EXAMINER RODRIGUEZ, SAUL	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/820,093
Filing Date: April 07, 2004
Appellant(s): HILL ET AL.

MAILED

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GROUP 3600

Cary S. Kappel
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed January 3, 2007 appealing from the Office action mailed June 2, 2007.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

No amendment after final has been filed.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

The following is a listing of the evidence (e.g., patents, publications, Official Notice, and admitted prior art) relied upon in the rejection of claims under appeal.

6,619,453

Stretch

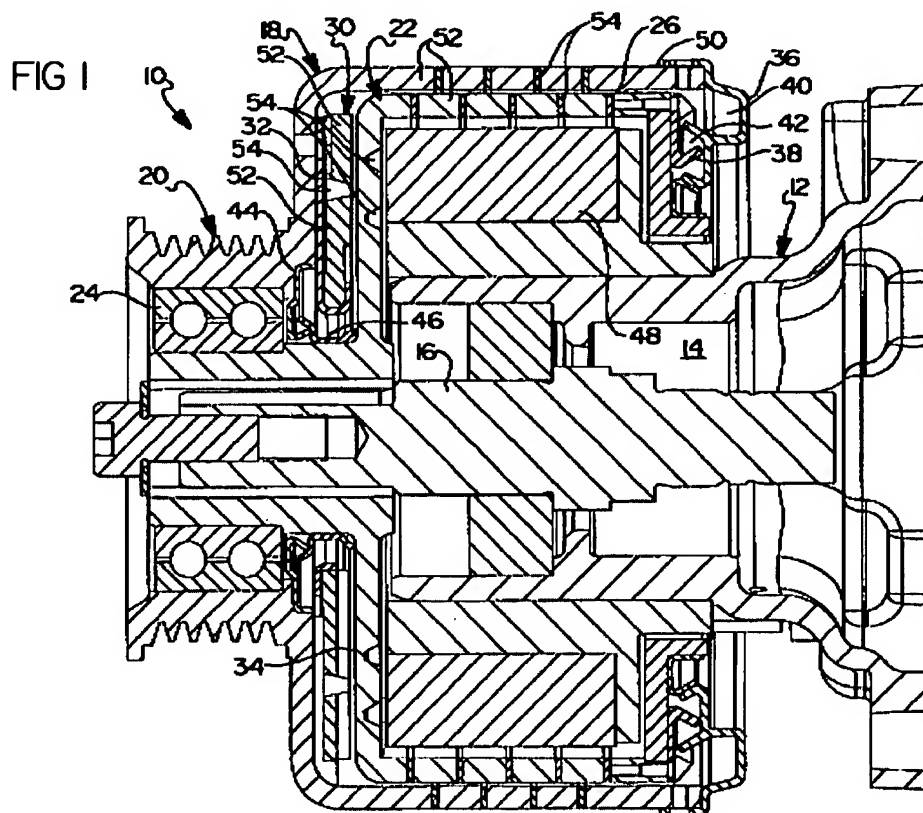
9-2003

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-2, 7, 14-16, 20-21, 23-25, 35 and 37, as understood, are rejected under 35 U.S.C. 102(e) as being anticipated by Stretch ('453).

Stretch discloses an electromagnetic friction clutch comprising first and second clutch parts (18, 22, 30) made of a magnetic material, a magnetic circuit, an electromagnet (48), at least ten flux crossover points (Fig. 4), laminated layers (e.g., 54), at least one support (associated with stationary housing 12) having flux conductors (Fig. 1) and at least 4 cross over points (Fig. 4), a disk portion on the clutch parts, concentric slots (corresponding to members 54), air gaps, a shaft (16), a wheel (20), and a permanent magnet (Col. 4, lines 10-20).



(10) Response to Argument

Applicant's arguments filed January 3, 2007 have been fully considered but they are not persuasive.

Concerning applicant's argument the prior art does not show an electromagnetic friction clutch (claim 1), the examiner respectfully disagrees. First, it should be noted that applicant's claims do not exclude the presence of a particle medium. Second it should be noted that Stretch's clutch includes a frictional region (70). Also, it should be noted that the clutch of the prior art consists of a single coil. In other words, as shown in Fig. 4, the excitation of the one coil would induce the engagement of the single input (18) and the single output (22). Therefore, it is believed that having a pair of clutch regions (68, 70) does not make a pair of independent clutches -- given their operation as one. Consequently, it is the examiner's position that the prior art discloses a magnetic circuit having a magnetic force (64) for pressing together and frictionally engaging (70) the first and second clutch parts (18, 22) through the intermediate disk region (30), and guided in the first and second clutch parts (18, 22) in such way that the magnetic flux changes at more than ten crossover points.

Concerning applicant's argument that the prior art does not teach the first and second part including relatively moveable first and second clamping jaws and a disk positioned between the jaws (claim 14), the examiner respectfully disagrees. First, the first and second parts/jaws (18, 22) are relatively moveable in a rotating direction. Additionally, the prior art discloses a disk (30) positioned between the first and second parts/jaws.

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Therefore, it is believed that the claimed limitations of claims 1 and 14 are anticipated by clutch of Stretch.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

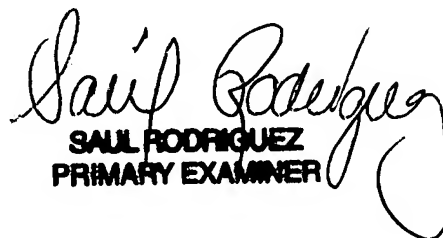
SJR



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